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In re Application of
FARROW et al.
Application No.: 09/868,533
PCT No.: PCT/EP99/07303
Int. Filing Date: 05 October 1999
Priority Date: 23 December 1998
Attorney Docket No.: PG3600USW
For: MEMBER OF THE TNF LIGAND FAMILY

DECISION ON
PETITION UNDER 37 CFR 1.181

BACKGROUND

On 18 March 2004, applicant filed a copy of an itemized postcard bearing a USPTO mail room date-stamped of 21 September 2001 indicating that executed declaration and surcharge were deposited with the USPTO on 21 September 2001.

DISCUSSION

A review of the application file reveals that the original declarations filed on 21 September 2001 are located in the application file. A review of the application file also reveals that an English translation of the international application is not necessary, as indicated in the Notification of Missing Requirements, as the international application was published in English.

A review of the declarations filed on 21 September 2001 indicates that the declarations identify each inventor, and state the residency, citizenship and mailing address of each inventor and thus, is in compliance with 37 CFR 1.497(a) & (b) and acceptable. A review of the finance records for 09/858,533 indicates that the \$130 surcharge for filing the declaration after the thirty month period was paid on 21 September 2001.

CONCLUSION

The petition under 37 CFR 1.181 is **MOOT**. The declarations submitted on 21 September 2001 are acceptable and meet the requirements of 37 CFR 1.497(a) and (b).

The 27 February 2004 Notification of Abandonment is hereby **VACATED**.

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is **21 September 2001**.



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